

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DERICK L. WILLIAMS

Plaintiffs,

-V.-

BREAKING GROUND HOUSING
DEVELOPMENT FUND CORPORATION et al.,

Defendants.
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ORDER

22 Civ. 8715 (AS) (GWG)

GABRIEL W. GORENSTEIN, United States Magistrate Judge

1. The above-referenced action has been referred to the undersigned for general pre-trial purposes. See 28 U.S.C. § 636(b)(1)(A). All pre-trial applications, including those relating to scheduling and discovery, shall be made to the undersigned (except motions to dismiss or for judgment on the pleadings, for injunctive relief, for summary judgment, or for class certification). All applications must comply with this Court's Individual Practices, which are available through the Clerk's Office or at: <https://nysd.uscourts.gov/hon-gabriel-w-gorenstein>

2. All discovery (as well as requests for admissions) must be initiated in time to be concluded by the deadline for all discovery.

3. Discovery motions -- that is, any application pursuant to Rules 26 through 37 or 45 -- not only must comply with ¶ 2.A. of the Court's Individual Practices but also must be made promptly after the cause for such a motion arises. In addition, absent extraordinary circumstances no such application will be considered if made later than 30 days prior to the close of discovery. Untimely applications will be denied.

4. Any application for an extension of the time limitations with respect to any deadlines in this matter must be made as soon as the cause for the extension becomes known to the party making the application and must be made in accordance with ¶ 1.E of the Court's Individual Practices. The application must state the position of all other parties on the proposed extension and must show good cause therefor not foreseeable as of the date of this Order. "Good cause" as used in this paragraph does not include circumstances within the control of counsel or the party. Any application not in compliance with this paragraph will be denied. Failure to comply with the terms of this Order may also result in sanctions.

5. With respect to the discovery requests in plaintiff's recent letters (Docket ## 65, 66), it appears that the matters either have been resolved or have not been discussed between the parties. If they have not been discussed, plaintiff must comply with the requirements of paragraph 2.B of the Court's Individual Practices, which requires a conference between the parties. If after complying with that paragraph, any dispute remains, plaintiff is free to file a new letter.

6. With respect to the document labeled "document request interrogatory," (Docket #69), in the future any discovery request should be served on defendant but not filed with the Court.

7. With respect to the document that addresses a trial by jury (Docket # 68), defendants shall file a letter on or before August 20, 2024, stating their position on whether plaintiff has properly demanded a jury trial and whether they are seeking to strike the jury demand that appears in the amended complaint. Plaintiff may respond to that letter on or before September 3, 2024.

SO ORDERED.

Dated: August 13, 2024
New York, New York



GABRIEL W. CORENSTEIN
United States Magistrate Judge